

Balanced and Restorative Justice Monograph

**RESTORATIVE JUVENILE
JUSTICE IN THE STATES:**

A National Assessment of Policy
Development and Implementation

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OJJDP



Office of Juvenile Justice and Delinquency Prevention

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) was established by the President and Congress through the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, Public Law 93-415, as amended. Located within the Office of Justice Programs of the U.S. Department of Justice, OJJDP's goal is to provide national leadership in addressing the issues of juvenile delinquency and improving juvenile justice.

OJJDP sponsors a broad array of research, program, and training initiatives to improve the State and local juvenile programs and to benefit private youth-serving agencies. These initiatives are carried out by seven components within OJJDP, described below.

Research and Program Development Division develops knowledge on national trends in juvenile delinquency; supports a program for data collection and information sharing that incorporates elements of statistical and systems development; identifies the pathways to delinquency and the best methods to prevent, intervene in, and treat it; and analyzes practices and trends in the juvenile justice system.

Training and Technical Assistance Division provides juvenile justice training and technical assistance to Federal, State, and local governments; law enforcement, judiciary, and corrections personnel; and private agencies, educational institutions, and community organizations.

Special Emphasis Division provides discretionary funds to public and private agencies, organizations, and individuals to develop and support programs and replicate tested approaches to delinquency prevention, treatment, and control in such pertinent areas as mentoring, gangs, chronic juvenile offending, and community-based sanctions.

State and Tribal Assistance Division provide funds for State, local, and tribal governments to help them achieve the system improvement goals of the JJDP Act, address underage drinking, conduct State challenge activities, implement prevention programs, and support initiatives to hold juvenile offenders accountable. This Division also provides training and technical assistance, including support to jurisdictions that are implementing OJJDP's Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders.

Information Dissemination and Planning Unit produces and distributes information resources on

juvenile justice research, statistics, and programs and coordinates the Office's program planning and competitive award activities. Information that meets the needs of juvenile justice professionals and policymakers is provided through print and online publications, videotapes, CD-ROM's electronic listservs, and the Office's Web site. As part of the program planning and award process, IDPU identifies program priorities, publishes solicitations and application kits, and facilitates peer reviews for discretionary funding awards.

Concentration of Federal Efforts Program promotes interagency cooperation and coordination among Federal agencies with responsibilities in the area of juvenile justice. The Program primarily carries out this responsibility through the Coordinating Council on Juvenile Justice and Delinquency Prevention, an independent body within the executive branch that was established by Congress through the JJDP Act.

Child Protection Division administers programs related to crimes against children and children's exposure to violence. The Division provides leadership and funding to promote effective policies and procedures to address the problems of missing and exploited children, abused or neglected children, and children exposed to domestic or community violence. CPD program activities include supporting research; providing information, training, and technical assistance on programs to prevent and respond to child victims, witnesses, and their families; developing and demonstrating effective child protection initiatives; and supporting the National Center for Missing and Exploited Children.

The mission of OJJDP is to provide national leadership, coordination, and resources to prevent and respond to juvenile offending and child victimization. OJJDP accomplishes its mission by supporting States, local communities, and tribal jurisdictions in their efforts to develop and implement effective, multidisciplinary prevention and intervention programs and improve the capacity of the juvenile justice system to protect public safety, hold offenders accountable, and provide treatment and rehabilitative services tailored to the needs of individual juveniles and their families.

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DRAFT MONOGRAPH
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About the Balanced and Restorative Justice Project

In 1993 the Balanced and Restorative Justice Project began as a national initiative of the Office of Juvenile Justice and Delinquency Prevention through a grant to Florida Atlantic University. A partnership arrangement with the Center for Restorative Justice and Mediation was developed in 1994 through a subcontract with the University of Minnesota. The goals of the project are to provide training and technical assistance and to develop a variety of written materials to inform policy and practice pertinent to the balanced approach mission and restorative justice.

Restorative Juvenile Justice Policy Development and Implementation Assessment: A National Survey of States is part of a series of policy and practice monographs and training materials for the field. Other publications in the series include:

- *Balanced and Restorative Justice for Juveniles: A Framework for Juvenile Justice in the 21st Century* (1997). Available through the Balanced and Restorative Justice Project.
- *Balanced and Restorative Justice Program Summary* (1995). Available through the National Criminal Justice Reference Service.
- *Balanced and Restorative Justice Project Curriculum Guide* (New edition in process). Published for OJJDP by the Balanced and Restorative Justice Project.
- *Building Relationships, Developing Competency: Toward a Restorative Approach to Offender Reintegration in a Balanced Juvenile Justice System* (2000) Forthcoming. Draft copies available through the Balanced and Restorative Justice Project.
- *Community Boards and Juvenile Justice in Vermont*. (2000). Forthcoming and draft copies available through the Balanced and Restorative Justice Project.
- *Conferences, Circles, Boards, and Mediations: Restorative Justice and Citizen Involvement in the Response to Youth Crime* (2000). In press by OJJDP. Other copies available through the Balanced and Restorative Justice Project.
- *Engaging the Community in Response to Youth Crime: A Restorative Justice Approach* (2000). Forthcoming and draft copies available through the Balanced and Restorative Justice Project.
- *Guide for Implementing the Balanced and Restorative Justice Model* (1998). Available through the National Criminal Justice Reference Service and the Balanced and Restorative Justice Project.
- *Restorative Justice Inventory: An Organizational Assessment for Juvenile Justice Agencies* (2000), in press. Draft copies available through the Balanced and Restorative Justice Project.
- *Victim Involvement in the Juvenile Court: Judges' Perspectives on the Role of a Key Stakeholder in Restorative Justice* (2001). Forthcoming and draft copies available through the Balanced and Restorative Justice Project
- *Victim Impact of Restorative Justice Conferencing with Juvenile Offenders: What We Have learned from Two Decades of Victim Offender Dialogue through Mediation and Conferencing* (2001). Forthcoming and draft copies available through the Balanced and Restorative Justice Project.

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RESTORATIVE JUVENILE JUSTICE IN THE STATES: A National Assessment of Policy Development and Implementation

INTRODUCTION

Balanced and restorative justice (BARJ) is a new framework for juvenile justice reform that seeks to engage citizens and community groups both as clients of juvenile justice services and as resources in a more effective response to youth crime.¹ To do this, the balanced approach mission attempts to ensure that juvenile justice intervention is focused on basic community needs and expectations. Communities expect justice systems to improve public safety, sanction juvenile crime, and habilitate and reintegrate offenders. True balance is achieved when juvenile justice professionals consider all three of these needs and goals in each case and when a juvenile justice system allocates its resources equally to meeting each need.

Restorative justice is a new way of thinking about and responding to crime. It emphasizes one fundamental fact: crime damages people, communities, and relationships. If crime is about harm, then the justice process should emphasize repairing the harm. As a vision for systemic juvenile justice reform, restorative justice suggests that the response to youth crime must also strike a balance among the needs of victims, offenders, and communities and that each should be actively involved to the greatest extent possible in the justice process. Restorative justice builds on traditional positive community values and on some of the most effective sanctioning practices, including victim-offender mediation, various community decision-making or conferencing processes (e.g., reparative boards, family group conferencing, and circle

¹ Repairing the relationship between the victim and offender does not necessarily mean creating a friendly or positive relationship between them. It means restoring an appropriate balance of power between them.

sentencing), restorative community service, restitution, victim and community impact statements, and victim awareness panels.

What is most new and most important about restorative justice is a set of principles that redefine the way justice systems address public safety, sanctioning, and rehabilitative objectives. Specifically, when crime is understood as harm and justice as repair or healing, and when the importance of active participation of victims and community members in the response to crime is emphasized, these basic community needs are understood and addressed as follows:

Accountability. Traditionally, accountability has been viewed as compliance with program rules or as “taking one’s punishment.” However, crime is sanctioned most effectively when offenders take responsibility for their crimes and for the harm caused to victims, when offenders make amends by restoring losses, and when communities and victims take active roles in the sanctioning process.

Competency. Most rehabilitative efforts in juvenile justice today are still centered on fairly isolated treatment programs that are not well accepted by the public. A balanced and restorative justice approach to offender reintegration suggests that rehabilitation is best accomplished when offenders build competencies and strengthen relationships with law-abiding adults, which increase their ability to become contributing members of their communities.

Public Safety. Although locked facilities must be part of any public safety strategy, safe communities require more than incapacitation. Because public safety is best ensured when communities become more capable of preventing crime and monitoring offenders and at-risk youth, a balanced strategy cultivates new relationships between juvenile justice professionals and schools, employers, and other community groups. A problem-oriented focus ensures that offenders’ time under supervision in the community is structured around work, education, and

service. It also establishes a new role for juvenile justice professionals as resources in prevention and positive youth development.

Today, when a crime is committed, most juvenile justice professionals are primarily concerned with three questions: who did it, what laws were broken, and what should be done to punish or treat the offender? Although questions of guilt, lawbreaking, and appropriate intervention are certainly vital to prosecutors, these questions alone may lead to a limited range of interventions based solely on treatment and punishment:

Treatment and punishment standing alone are not capable of meeting the intertwined needs of the community, victim, offender, and family. For the vast majority of the citizenry, juvenile justice is an esoteric system wrapped in a riddle. Support comes from understanding, understanding from involvement and participation. Community involvement and active participation in the working of a juvenile court is a reasoned response. . . (currently) community members are not solicited for input or asked for their resourcefulness in assisting the system to meet public safety, treatment, and sanctioning aspirations (Diaz, 1997).

Viewed through the restorative lens, crime is understood in a broader context than what is suggested by the questions of guilt and of what should be done to punish or treat the offender. Howard Zehr (1990) argues that, in restorative justice, three very different questions receive primary emphasis. First, what is the nature of the harm resulting from the crime? Second, what needs to be done to “make it right” or repair the harm? Third, who is responsible for the repair?

Defining the harm and determining what should be done to repair it is best accomplished with input from crime victims, citizens, and offenders in a decision-making process that maximizes their participation. The decision about who is responsible for the repair focuses attention on the future rather than on the past and also sets up a different configuration of obligations in the response to crime. No longer simply the object of punishment, the offender is now primarily responsible for repairing the harm caused by his or her crime. A restorative juvenile court and justice system would, in turn, be responsible for ensuring that the offender is held accountable for the damage and suffering caused both to victims and victimized

communities by supporting, facilitating, and enforcing reparative agreements. But most importantly, crime victims and the community play critical roles in setting the terms of accountability and monitoring and supporting completion of obligations.

If crime victims and the community are to become fully engaged as active participants in the response to youth crime, juvenile justice professionals must begin to think about these stakeholders in different ways. In addition, the role of the professional and the mandate of the juvenile justice system are likely to change. To move forward with this new agenda, it is especially important to understand the potential role of crime victims as key stakeholders in the response to youth crime.

The purpose of this monograph is to provide an assessment of the development and implementation of current policies and practices relating to balanced and restorative justice in the United States. Previous less formal surveys indicate that approximately 26 states had adopted restorative justice policies at either the program, institutional, system, and/or state level (Freivalds, 1996; Klein, 1996). The current exploration study provides a more up-to-date and detailed assessment of the extent and nature of the influence of the restorative justice framework and the balanced approach mission. The monograph also examines a number of issues pertinent to understanding why and how future efforts succeed in implementation of policies and practices.

The survey analysis is divided into five sections. The first section identifies the number of states that articulate restorative justice in policy documents and the location of the restorative justice principles (e.g., state statute, policy, mission statement, program plan, and evaluation). The second section classifies the stakeholders who were involved in promoting or initiating restorative justice in each state, identifies the source of information on restorative justice used for the initiative, distinguishes the degree to which stakeholders are involved in leading the initiative, and discusses the motivation for the policy or organizational change. The third section

identifies the stakeholders who are responsible for implementing, evaluating, and monitoring the restorative justice policy. The fourth section discusses how restorative justice is operationalized in each state. This section classifies the programs that are based on the restorative justice philosophy. The fifth section identifies the level of annual funding appropriated for restorative justice programs and practices, classifies funding sources, and discusses the reallocation of existing funds for the initiative.

National Telephone Survey

The primary technique for gathering information and data involved a national telephone survey of restorative justice professionals. In order to gather a comprehensive assessment of all states involved in developing and implementing restorative justice, all fifty states were surveyed. The telephone survey of the fifty states was administered to restorative justice professionals who were asked about restorative justice development and the implementation of restorative justice policies and practices. As indicated previously in the literature review, prior less formal surveys identified that approximately 26 states have adopted restorative justice policies at either the program, institutional, system, or state level (Klein, 1996; Freivalds, 1996). The Office of Juvenile Justice and Delinquency Prevention (OJJDP)² and the Balanced and Restorative Justice Project³ have worked with a number of states in developing and implementing restorative justice programs, practices and policies. Staff from OJJDP as well as the project director and national consultants with the Balanced and Restorative Justice Project expressed interest in examining the

² The President and Congress through the Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 93-415, as amended, established the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The OJJDP is located within the Office of Justice Programs of the U.S. Department of Justice. The OJJDP's goal is to provide national leadership in addressing the issues of juvenile delinquency and improving juvenile justice. The office sponsors various research, program, and training initiatives to improve the juvenile justice system as a whole, as well as to benefit individual youth-serving agencies (Balanced and Restorative Justice Project, 1994).

³ The Balanced and Restorative Justice Project (BARJ) is a national training and technical assistance effort supported by a grant from OJJDP, U.S. Department of Justice. Project trainers, researchers and juvenile justice practitioners work with jurisdictions nationwide assisting to advance systemic change in juvenile justice policy and practice toward a restorative justice philosophy (Balanced and Restorative Justice Project, 1994).

extent to which restorative justice has developed and has been implemented in policy and practice nationally.

This exploratory study provides an updated and detailed assessment of the extent and nature of influence of the restorative justice framework and the balanced approach mission on the juvenile justice system within the states. The study also examines a number of issues pertinent to understanding why and how future efforts may or may not succeed in implementing restorative justice policies and practices. This survey represents the first national survey undertaken in the field of restorative justice relating to organizational reform and policy implementation at the state level.

Selection of Key Informants

A consultative approach with the director of the Balanced and Restorative Justice Project and with OJJDP staff led to the selection of key informants with knowledge and previous experience who would help identify potential respondents in each state. A telephone conference call was conducted with this national group of restorative justice consultants who had worked extensively with OJJDP and the Balanced and Restorative Justice Project in restorative justice and juvenile justice.⁴ This group was representative of the various regions across the country. These key informants were selected because of their work in the states, knowledge of persons working on restorative justice in state systems, and general association in the restorative and juvenile justice field (See Table 1.).

⁴ All of the key informants have worked with OJJDP and the Balanced and Restorative Justice Project since the inception of the project in 1992. The key informants have lectured, trained, and published articles relating to restorative justice and juvenile justice during this time.

Table 1
Key Informants Consulted in Determining the National Survey Respondents,
Including Position/Affiliation, Specialization, and State of Residence

Code *	Position/Affiliation	Specialization	State of Residence
A	Project Director, Balanced and Restorative Justice Project, Florida Atlantic University	Restorative justice	Florida
B	Assistant Commissioner Department of Corrections/ Consultant	Community and Restorative justice	Minnesota
C	Director, National Campaign for Effective Crime Policy	Criminal justice and policy	Washington, DC
D	Correctional Program Specialist National Institute of Corrections	Community justice	Colorado
E	Director, Department of Community Justice/Consultant	Community and Restorative justice	Oregon
F	Restorative Justice Planner/ Consultant	Restorative justice	Minnesota
G	Victims Advocate/ Consultant	Restorative justice	Washington, DC
H	Director, Center for Restorative Justice and Peacemaking, University of Minnesota	Restorative justice	Minnesota

*Code denotes the letter designation representing the names of the individuals consulted for this study.

The goal of the telephone conference call was to identify contacts within each state or to ascertain the identity of a person who may actually be the designated justice professional to respond to the telephone survey or to refer the researcher to that person. Follow-up conversations were also conducted with the key informants and the state contacts, when necessary, to determine the most appropriate individual to provide a statewide perspective on restorative justice.

Selection of Study Population

One individual who has knowledge of and is able to discuss restorative justice policy and practices in each of the 50 states was selected as the survey respondent. The restorative justice professionals were selected as survey respondents based on two criteria: their integral knowledge of restorative justice in their state and their position within the juvenile justice system or related agency. A final list of survey respondents was compiled which included one individual in either the juvenile justice or adult justice system or a juvenile justice related agency (e.g., Community-Based Network, Restorative Justice Advocacy Group, Court Services Counsel, Alternative Dispute Resolution Office - Administrative Office of the Court, Juvenile Court Judges Commission, Community Corrections Official, Justice Fellowship, Juvenile Justice Commission, Citizens Council, Joint Religious Legislative Coalition, and the Futures Lab Commission) for each state.

Part One of the survey included demographic questions and questions about the respondent's position within the state, tenure in the position, knowledge of restorative justice, and fundamental views about restorative justice as a phenomenon. Part Two related to the policy development stage (i.e., who initiated or promoted restorative justice and what system within the state implements restorative justice – juvenile system, adult system, or both), stakeholders involvement and supportive roles, and leadership (Balanced and Restorative Justice Project, 1994; Bazemore, 1997a; Bazemore and Washington, 1995; Pranis, 1996). Part Three included questions about factors that moved the state to consider the policy or organizational change (i.e., political crisis, new political party in office, extreme criminal event, or other), the location of the restorative justice principles (i.e., whether included in state statute, policy, mission statement, program plan, evaluation or outcome measures, or job description) and the implementation of

restorative justice policy (i.e., whether implemented by the Department of Juvenile Justice, Department of Corrections, or Court Administration). Part Four referred to the programs guided with the restorative justice principles that were implemented (e.g., community service, mediation, restitution, and conferencing), annual funding for restorative justice initiatives and programs, and the funding source (i.e., county, state, federal, federal pass-through, foundation, and other).

The questionnaire was pre-tested with restorative justice professionals in five states: Idaho, Minnesota, Montana, Oregon, and Pennsylvania. These pre-test states were selected because of their experiences in restorative justice and prior involvement with the Balanced and Restorative Justice Project. Minor adjustments were made to the questionnaire based on suggestions by the respondents to improve the flow and clarity of the questions.

To avoid interview bias that may have been caused by interviewing the largest or most experienced states first, the calling order of the national survey was conducted by the Investigator in alphabetical order by state. The respondents participated by receiving a contact call from the investigator who administered a structured telephone interview using a standard questionnaire. The investigator also solicited unstructured comments about relevant issues, such as further discussion about the impetus for change in the state, stakeholder involvement, successes, and barriers to development and implementation. The time required to answer the questionnaire was approximately 20-30 minutes. In some cases, the investigator had to make several calls before successfully contacting the respondent. Four respondents faxed their survey responses to the investigator due to time restrictions on the respondent's behalf. The investigator received a 100 percent response rate with representatives from all 50 states responding to the telephone survey.

Results of the National Telephone Survey

The national telephone survey of juvenile justice professionals was conducted between January and May, 1999.⁵ The survey instrument comprised four parts and focused on the restorative justice concerns or issues. Part One included demographic information and questions related to the respondent's knowledge of and experience with restorative justice. Part Two inquired about policy development, leadership roles, stakeholder involvement, and the impetus for restorative justice reform in the state. Part Three included questions relating to the factors that moved the state to consider the policy or organizational changes, the location of the restorative justice principles, and the locus of responsibility for the implementation and evaluation of restorative justice. Part Four included program implementation and funding queries.

Demographic Profile

The typical respondent was white and between the ages of 40 and 55. Minorities (African-American, Hispanics, and Asian) comprised 18 percent of the respondents, and 20 percent of the respondents were between 26 and 39 years of age (See Table 2). The gender division was nearly equaled with males being slightly better represented than females. There were 26 male respondents and 24 female respondents. Most respondents were career service employees. The average tenure in position for respondents was approximately five years. Roughly a third (32 percent) of respondents held appointive, non-career positions.

⁵ Each questionnaire response was coded and no personal identifying marks appeared on the survey. All individual responses will remain confidential. No confidential information will be released. The responses of each respondent were numerically coded. The SPSS statistical package was utilized to aggregate the data for the analysis.

Table 2
Demographic Information of Survey Respondents

Demographic Information	Number	Percentage
Gender		
Male	26	52
Female	24	48
Ethnicity		
White	41	82
African-American	4	8
Hispanic	3	6
Asian	2	4
Age		
18-25	0	0
26-39	10	20
40-55	37	74
55 and older	3	6
Status		
Appointed	16	32
Elected	0	0
Career service	30	60
Other*	4	8
Tenure in Position		
Average	4.75 years	
Range	1 month - 24 years	
*Other represents restorative justice professionals who were not state employees. This category includes: non-profit organization staff, consultants with the state, and private research center staff.		

Policy Documentation

This section addresses the extent to which the survey results confirm the importance of incorporating restorative concepts into policy documents as a means to successfully implement policies and practices. A significant finding of this study is that the majority of states articulate restorative justice principles in one or more policy documents.⁶ Conversely, as Table 3 suggests, only nine states (i.e., Arkansas, Hawaii, Kentucky, Indiana, New Jersey, New York, Rhode Island, Tennessee, and Texas) do not reference restorative justice principles in any policy

documents. In 32 states (64 percent) restorative justice principles are found in multiple documents. In two states (4 percent) restorative justice principles are exclusively found in state

Table 3
Location of Restorative Justice Principles in State Documents

	State Statutes or Codes	Policy Statements	Mission Statements	Program Plans	Evaluation Reports	Other*
State	Alabama Alaska Arizona California Colorado Connecticut Idaho Illinois Louisiana Maine Maryland Missouri Montana Oregon Pennsylvania S. Carolina Utah Virginia Washington	Alabama Alaska Arizona California Florida Georgia Idaho Iowa Maine Maryland Mississippi New Mexico Ohio Oregon Pennsylvania S. Carolina Vermont Virginia W. Virginia Wisconsin	Alabama Alaska Arizona California Colorado Florida Idaho Iowa Kansas Maine Maryland Massachusetts Michigan Minnesota Missouri Montana Nevada New Mexico N. Dakota Ohio Oklahoma Oregon Pennsylvania S. Carolina S. Dakota Utah Vermont Virginia Washington W. Virginia Wisconsin Wyoming	Alabama Alaska Arizona California Colorado Delaware Florida Georgia Idaho Iowa Kansas Louisiana Maryland Massachusetts Michigan Mississippi Montana Nebraska New Hampshire New Mexico N. Carolina N. Dakota Ohio Oklahoma Oregon Pennsylvania S. Carolina S. Dakota Utah Vermont Virginia Washington W. Virginia Wisconsin Wyoming	Alaska California Florida Georgia Idaho Montana Ohio Oregon S. Carolina Utah Vermont Washington W. Virginia	Arkansas Hawaii Indiana Kentucky New Jersey New York Rhode Island Tennessee Texas
Total	19	20	32	36	13	9
*Other locations of restorative justice principles than state documents identified.						
Arkansas - restorative programs		Kentucky - restorative programs		Rhode Island - education phase		
Hawaii - policy and program development		New Jersey - education phase		Tennessee - alternate dispute resolution		
Indiana - restorative programs		New York - community court		Texas - prosecutor advocating rest. justice		

⁶ The study did not require that restorative justice be stated explicitly in any policy document, only that the fundamental principles of restorative justice were articulated.

statute (i.e., Connecticut and Illinois); in two states (4 percent) in mission statements only (i.e., Minnesota and Nevada); and in four states (8 percent) solely in program plans (i.e., Delaware, Nebraska, New Hampshire, and North Carolina).

Restorative justice principles are articulated in statute or code in 19 states, in policy statements in 20 states, in mission statements in 32 states, in program plans in 36 states, and in evaluation reports in 13 states. A typical policy statement refers to an administrative rule or directive issued to guide the implementation of state statute or code. The most prevalent sources of information about restorative justice are mission statements and program plans. Other common reference sources include evaluation reports.

Table 4 provides the state statute or code reference and the enactment date for each state articulating restorative justice principles in statute or code. Statutory or code articulations of restorative justice differ widely. Some statutes or codes focus exclusively on the balanced approach mission, in some cases referring to restorative principles as they are articulated in policy and procedures manuals. Other statutes or codes emphasize the restorative justice value framework with or without reference to the balanced approach. Statutes or codes from the states of Pennsylvania, Alaska, Colorado, California, and Oregon include language that best represents the restorative justice principles and the balanced approach concepts. The juvenile justice system in Pennsylvania (“The Juvenile Act,” Pennsylvania State Statute, Chapter 63, Juvenile Matters, 42 PA C.S.A S6301), for example, is guided by a balanced and restorative justice philosophy, which states, “to provide for children committing delinquent acts[,] programs of supervision, care, and rehabilitation which provide balanced attention to the protection of the community, the imposition of accountability for offenses committed, and the development of competencies to enable children to become responsible and productive members of the community.” Alaska’s statute (Alaska State Statute, Article 1, Section 47.12.010) seeks to promote “a balanced juvenile

justice system in the state to protect the community, impose accountability for violations of the law, and equip juvenile offenders with the skills needed to live responsibly and productively.”

Alaska’s law also incorporates a key principle of restorative

Table 4
State Statutes or Codes Incorporating The Balanced Approach and Restorative Justice

State	Balanced Approach Concepts and/or Restorative Justice Principles	State Statute/Code	Year of Enactment
Alabama	BARJ	<u>Code of Alabama, Section 12-15-1.1</u>	1997
Alaska	BARJ	<u>Alaska State Statute, Article 1, Section 47.12.010</u>	1998
Arizona	BARJ	<u>Arizona Revised Statute Section 8-201-291</u>	1998
California	Restorative Justice	<u>California Welfare and Institutions Code, Relating to Minors, Section 1700</u>	1999
Colorado	Restorative justice	<u>Colorado Revised Statute, Section 3, 19-2-102, 19-2-303, 24-32-2801</u>	1999
Connecticut	BARJ	<u>Connecticut Statute 95-225</u>	1995
Idaho	Balanced approach	<u>Idaho Statute, Title 20, Chapter 5, 20-501</u>	1995
Illinois	BARJ	<u>Illinois Compiled Statute, Chapter 705, Act 405, Article 5</u>	1999
Louisiana	Restorative justice	<u>Louisiana Revised Statute, Title 46, Article 1840-1844</u>	1999
Maine	Restorative justice	<u>Maine State Statute, Title 17-A: Criminal Code, Section 1205</u>	1998
Maryland	BAR J	<u>Maryland Code, Subtitle 3-802</u>	1996
Missouri	BARJ	<u>Missouri Revised Statute, Chapter 217.777</u>	1998
Montana	BARJ	<u>Montana Code Annotated, Title 4, Chapter 5, 41-5-102</u>	1997
Oregon	Balanced approach	<u>Oregon State Juvenile Code: Delinquency, 419C.001</u>	1998
Pennsylvania	BARJ	<u>Pennsylvania State Statute, Chapter 63, Juvenile Matters, 42PA.C.S.A., Section 6301</u>	1995
South Carolina	Restorative justice	<u>South Carolina State Statute, Children’s Policy, Section 20-7-20, 20-7-6840</u>	1993
Utah	Balanced approach	<u>Utah Judicial Code, Section 78-3a-102</u>	1988
Virginia	Restorative justice	<u>Code of Virginia, Chapter 16, Title 1, Section 16.1-309.2-309.10</u>	1996
Washington	BARJ	<u>Revised Code of Washington, Title 13 RCW 13.40.500</u>	1997

justice, "restoration of community and victim." Both Alaska and Pennsylvania clearly emphasize restorative justice principles throughout their policy and practice documents.

The legislative declaration of Colorado, based on restorative justice ("An Act Concerning A Restorative Justice Program in the Juvenile Justice System," Colorado Revised Statute, Section 3, 19-2-102, 19-2-303, 24-32-2801), is to "protect, restore, and improve the public safety...[and] provide the opportunity to bring together affected victims, the community, and juvenile offenders for restorative purposes." California's statute ("Youth Authority Act," California Welfare and Institutions Code, Relating to Minors, Section 1700) includes powerful restorative justice language which states that the mission of the juvenile justice system is "to protect society from the consequences of criminal activity and to achieve that purpose through community restoration, victim restoration, offender training, and treatment shall be substituted for retributive punishment and shall be directed toward the correction and rehabilitation of young persons who have committed public offenses." Oregon's juvenile justice system is established on the balanced approach principles. The state juvenile code (Oregon State Juvenile Code: Delinquency, 419C.001) declares that the underlying mission of the system provides "the principles of personal responsibility, accountability, and reformation within the context of public safety and restitution to the victims and to the community." Common restorative language in many of these state documents includes: "holding juvenile offenders accountable for their offense," "involving victims and the community in the justice process," "obligating the offender to pay restitution to the victim and/or to a victim's fund," and "securing safer communities."

Implementing Restorative Justice

States vary in their degree of development and implementation of restorative justice standards. For example, Minnesota has incorporated restorative justice only in the Department of

Corrections' mission statement, yet it is one of the most advanced states in implementing restorative practices (Pranis, 1996). Pennsylvania has been on a path to implement systemic reform integrating balanced and restorative justice principles (Kurlycheck, 1998; JCJC, 1997). Conversely, several states have incorporated the principles in statute but are struggling with furthering implementation efforts statewide due to political forces, funding issues, and ideological contrasts.

Regarding ideological contrasts, Illinois, one of the most recent states to adopt balanced and restorative justice principles, is consciously developing programs at the community level. Like many states (e.g., Arizona, Connecticut, Florida, Michigan, and Oregon), Illinois has also recently implemented transfer laws and punitive incarceration of juvenile offenders. What this trend suggests is that restorative justice statutes are by no means a guarantee that states are necessarily moving against the punitive political trend seen throughout the country (Torbet, et al., 1996). In some cases, however, restorative justice or balanced and restorative justice may have been used as a deterrent to prevent further punitive developments, as appears to have been the case in Pennsylvania. Several states, such as Connecticut, Idaho, New York, and Washington are politically sensitive to the term "restorative justice" and choose not to use the term specifically in any document. In these states, restorative justice may be considered as being soft on crime. Although "community justice" or other terms may be used, the general principles of restorative justice are frequently articulated in other ways.

Survey respondents also identified the policy jurisdiction of restorative justice in the states' systems. States that include the restorative justice principles in statute, policy, mission statement, program plan, and/or evaluation are contained within this analysis. Several of the respondents did not consider what their state is doing as restorative justice by name but felt the state incorporated the principles in policy and practice. Restorative justice can be applied in the

adult criminal justice system, the juvenile justice system, or both. Notably, 23 states (46 percent) have implemented restorative justice in both the adult and juvenile justice systems. Twenty-two states (44 percent) have implemented a restorative approach only in the juvenile justice system. Five states (10 percent) have implemented restorative justice exclusively in the adult criminal justice system.

A key matter in policy development and implementation is the source of information and materials used to promote the issue in the state. Policy research and practice are typical sources of policy information. Seventeen states (34 percent) received information from one or more of the Balanced and Restorative Justice (BARJ) Project staff and consultants (e.g., Gordon Bazemore, Dennis Maloney, Kay Pranis, Mark Carey, Mark Umbreit, and Anne Seymour).⁷ Ten states (20 percent), including Arkansas, Iowa, Kentucky, Maine, Mississippi, New Jersey, New York, North Dakota, Rhode Island, and Virginia, received information from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Nine states (18 percent), including Alaska, California, Florida, Idaho, Illinois, Maryland, Montana, New Mexico, and Ohio, received information from the BARJ Project.⁸ Four states (8 percent), including Colorado, Hawaii, Michigan, and West Virginia, received information from the National Institute of Corrections (NIC). Seven states (14 percent), including Alabama, New Hampshire, North Carolina, Oklahoma, South Dakota, Tennessee, and Wisconsin, received information from other sources (e.g., National Institute of Justice, Justice Fellowship, American Probation and Parole Association, National Council on Juvenile Justice, American Bar Association, and the University of Wisconsin Law School) than those listed in the survey. Respondents in three states (6

⁷ These names were mentioned most often in response to this question: What or who was the source of information about restorative justice? BARJ consultants may have provided training and/ or technical assistance to the state. The respondent may also have read literature authored by one or more of the BARJ consultants.

⁸ The respondents received information or assistance from one of the BARJ Project offices located at Florida Atlantic University or the University of Minnesota.

percent), Connecticut, Delaware, and Nebraska, reported that the state did not rely on any single source for information about the restorative approach.

Principal Supporters of Restorative Justice

The success of legislative or policy initiatives may vary by the extent to which one or more powerful political entities are involved in the initiative (Balanced and Restorative Justice Project, 1994; Bazemore, 1997a; Bazemore, 1997b; Bazemore and Washington, 1995). It is also possible that involving multiple stakeholders in any policy effort may increase the success of the initiative (Nakamura and Smallwood, 1980; Welsh and Harris, 1999). This section addresses the extent to which the survey results confirm the assumption that collaboration among stakeholders is essential in a successful policy effort. Only one state, Indiana, indicated that no person or group initiated or promoted restorative justice within its juvenile justice system. Typical stakeholders to participate in this initiation activity within the 21 states reporting restorative justice activities include: the Department of Corrections, the Department of Juvenile Justice, state advisory groups, state legislators, the governor's office, and community leaders. Seventeen states (34 percent) reported that multiple stakeholders had been involved in initiating or promoting restorative justice in their respective state. Restorative justice was initiated or promoted by the Department of Corrections in seven states (14 percent), including Indiana, Minnesota, Missouri, Nebraska, Texas, Vermont and Wisconsin; the Department of Juvenile Justice⁹ in five states (10 percent), including Florida, Kentucky, Nevada, New Mexico and Mississippi; state advisory groups in three states (6 percent), including Hawaii, New Jersey and

⁹ The justice system for juveniles has various titles in each state. The author generalizes these names as the Department of Juvenile Justice. Designations include: California Youth Authority, Department of Children and Families, Department of Community Justice, Department of Family Services, Department of Youth Services, Juvenile Justice Authority, and Office of Juvenile Justice.

Montana; legislators in three states (6 percent), including Connecticut, Delaware and Kansas; the governor and/or lieutenant governor in two states (4 percent), including Maryland and Rhode Island; and community leaders in two states (4 percent), including Virginia and Tennessee. Ten states (20 percent) included other groups than those listed above to have had an influence on the state's involvement with restorative justice initiatives. These groups include: community-based networks, restorative justice advocacy groups, court services counsels, alternative dispute resolution offices – administrative offices of the court, community corrections officials, justice fellowship staff, juvenile justice commissions, citizens councils, joint religious legislative coalitions, the Juvenile Court Judges' Commission, and the Futures Lab Commission.

Role of the Major Stakeholders

The major supporters of the juvenile justice systems have become its principal stakeholders. The restorative justice personnel interviewed identified those groups they considered to be the major system stakeholders currently involved in the restorative justice initiative. These major stakeholders include: the Department of Juvenile Justice, the Department of Corrections, judges, prosecutors, defense attorneys, public defenders, probation officers, faith communities, crime victims, community organizations, and law enforcement (Kurlycheck, 1998; Pranis, 1996). The interaction between public and private actors and strategic leadership among these professionals is significant in successful implementation.

Though it is important to know who or which groups initiated restorative justice, it is equally important to know who or which groups retained leadership. The majority of respondents did not identify a single person or group exercising the leadership role, rather, they identified multiple actors or agencies playing leadership roles. Specifically, 14 states (28 percent) reported multiple leadership involvement. The collaborative effort most commonly identified as system

partners was between the Department of Juvenile Justice and judges. Other stakeholders involved in a collaborative leadership role included: probation agencies, state advisory groups, court administration, and the state legislature. The Department of Juvenile Justice provided sole leadership in six states (12 percent): Florida, Kentucky, Nevada, New Mexico, Michigan and Mississippi. The Department of Corrections provided leadership in 8 states (16 percent): Indiana, Minnesota, Missouri, Nebraska, Oregon, Texas, Vermont and Wisconsin. Judges provided leadership in North Dakota and South Dakota, community leaders in Virginia and Tennessee, governor/lieutenant governor in Maryland, and the state advisory group in Montana. In eleven states (22 percent) other individuals or groups than those listed above provided a leadership role in the restorative justice effort. These individuals or groups included: the state attorney general, community-based programs and providers, court administrators, the Department of Education, the juvenile justice commission, law enforcement officials, legislators, mediators, nonprofit organizations, probation and parole officers, prosecutors, and the state Department of Justice.

Multiple groups were involved in a supportive role in the restorative justice effort. The governor or lieutenant governor provided a supportive role in five states -- New Jersey, Oregon, Pennsylvania, South Carolina and Wyoming; the Department of Juvenile Justice in three states -- Hawaii, Maryland and Virginia; the Department of Corrections in two states -- Alabama and Ohio; victim advocates in two states -- Tennessee and Texas; community leaders or organizations in two states -- Iowa and Oklahoma; and legislators in two states -- Maine and Washington. In four states (8 percent) other individuals or groups than those listed were supportive, while in more than a third of all states (17 states) no individuals or groups were identified as holding or providing a supportive role.

Environmental Conditions Influencing Restorative Justice Reform

This section addresses the key factors leading to the consideration of restorative justice. The factors that moved the states to consider the policy or organizational changes included: political crisis, new political party in office, extreme criminal event, new approach to the system, and other conditions. A key issue in any systemic reform effort is to identify the impetus for change in each state (Hurst, 1995; Schwartz, Barton, and Orlando, 1991; Orlando, O'Brien, and Bishop, 1996; Miller, Ohlen, and Coates, 1977; Bazemore and Washington, 1995; Hesselbein, 1997; Kanter, 1997). Twenty-nine states (58 percent) considered restorative justice to be a new approach to the system. Respondents of these states regarded the establishment of restorative justice as: "moving toward a preferred future...," "a new way of thinking," a way to "see restorative justice broader...[as a]movement [that] is impacting beyond criminal justice," a "common sense approach." Some expressed the sentiment that they were "tired of sending people to prison,...[the system is] not working, ...high recidivism, and they werelooking at an alternative and ... trying to do something proactive." Restorative justice was seen as "a means to empower the community" and "give a voice to victims." A new political party in office was the impetus in Pennsylvania and Maine. A political crisis, such as a federal mandate response to prison overcrowding, and a rise in the state's crime rate, were the reasons Delaware and North Carolina considered restorative justice policy or organizational changes. An extreme criminal offense was the impetus in Idaho. Other factors served as the impetus for reform in 13 other states (36 percent of those surveyed).

Table 5 includes the categories of factors influencing restorative justice reform in the states. This table is divided into three categories: political, administrative, and fiscal/financial. The factors are derived from the responses received by survey respondents.

Table 5
Categories of Factors Influencing Restorative Justice Reform

Political	Administrative	Fiscal/Financial
Awareness of victims' issues and more involvement with crime victims Change in public attitude/ Public opinion Extreme criminal event New approach to system New leadership New political party in office Political crisis Rise in crime rate State legislature took reform on as an issue	Administrative decision to create Restorative Justice Planner position Effort to be community-based High recidivism Internal department initiative Need for alternative juvenile Programs Overcrowded facilities Trying to be more efficient	Lack of resources Resources going to community for diversion/ prevention

Locus of the Responsible Stakeholders Implementing

The Restorative Justice Policy

Various system stakeholders influence the course of policy implementation. These formal stakeholders coordinate policies and practices in a way that will lead to successful and effective organizational performance. Nearly one-third of the states (30 percent or 15 states) have multiple divisions of the juvenile justice system that are responsible for implementation. Implementing restorative justice was seen as “everyone’s responsibility,” i.e., “it crosses all strata,” in Georgia, Pennsylvania, and Montana. The Department of Juvenile Justice is responsible for implementation of restorative justice programs in 11 states (22 percent of all states), court administration in six states (12 percent), and the Department of Corrections in five states (10 percent). In six states (12 percent) other agencies than those previously listed are responsible for implementing a restorative approach. These agencies include: juvenile court judges, the Pennsylvania Juvenile Court Judges’ Commission, prosecutors, probation and parole, nonprofit organizations, local community/service providers, state advisory group, Supreme Court services,

and state court mediation. Seven states (14 percent) have no agencies specifically responsible for implementation.¹⁰

Evaluating or Monitoring Restorative Justice

Osborne and Gaebler (1992) discussed the power of performance measurement in evaluating public programs. The use of performance measures related to program outcomes tends to elicit more insightful staff response because this approach to evaluation makes them aware of the organizational goals and objectives. Staff participation in developing and monitoring outcome measures is critical to the evaluation of the success of specific restorative justice programs (Thomas, 1999; Umbreit, 1994; Schiff, 1999). The Department of Juvenile Justice holds the responsibility for evaluation or monitoring restorative justice in six states (12 percent), Alaska, California, Delaware, Florida, Maryland, and North Carolina; court administration in four states (8 percent), Alabama, Colorado, Utah, and West Virginia; the Department of Corrections in two states (4 percent), Idaho and North Carolina. Six states (12 percent) house the responsibility for evaluating or monitoring with an entity other than those listed, e.g., the Board of Probation and Parole (Georgia), Board of Crime Control (Montana), Governor's Justice Commission (Rhode Island), John Jay College (Washington). Twenty-six states, a majority of all states, do not evaluate or monitor restorative justice programs. Of the 43 states that implement restorative justice, 19 states do not evaluate or monitor these programs. Six states (14 percent) have multiple jurisdictions responsible for evaluating or monitoring restorative justice.

¹⁰ The reason that no division is specifically responsible for implementation is that these particular states may not have formal

Nature of Restorative Justice Operationalization

Different program models are available to states to implement restorative justice practices. More than one type of specific program may coexist with another in a single jurisdiction. Table 6 lists the number of states implementing specific restorative justice programs.¹¹ The types of specific programs include: arbitration, community courts, community focus groups, community probation, community service, community supervision, community surveys, conferencing, mediation, mentoring, reparative boards, restitution, victim impact panels, victim impact statements, victim services, and work crews. The most common restorative justice programs among the states are restitution (41 states or 82 percent), community service (39 states or 78 percent), and mediation (36 states or 72 percent). Other common restorative justice practices include: victims services (16 states or 32 percent), conferencing (12 states or 24 percent), and reparative boards (11 states or 22 percent).

A key finding is the extent to which the survey results confirm the importance of incorporating restorative concepts into policy documents as a means to successfully implement policies and practices. A significant finding of this study is that the majority of states articulate restorative justice principles in one or more policy average of 4.32 types of restorative justice practices implemented within its jurisdiction.¹²

Several survey respondents mentioned that the various programs allow the state flexibility and options in dealing with offenders, victims, and the community (Pranis, 1996). The different programs are designed specific to meet the needs of the community. “Not one size fits all,” as one respondent stated. Other survey respondents identified various partnerships that had

restorative justice policy in place, or implementation efforts may be at the local jurisdictional level.

¹¹ The extent to which each program is truly restorative is not identified in this study. Survey respondents identified these programs as being restorative. There is no uniformity of definition as to whether each program is restorative.

¹² Forty-four states (88 percent) had restorative programs in place prior to implementing restorative justice.

Table 6

Restorative Justice Programs in the States

Restorative Justice Programs	Other Names Associated With Programs	Total Number of States Implementing These Programs
Arbitration	Community arbitration Juvenile arbitration	2
Community-affiliated courts	Drug courts Juvenile hearing boards Teen courts Tribal courts Youth courts	7
Community focus groups		1
Community justice centers ¹³		3
Community probation		1
Community service		39
Community supervision		16
Community surveys		1
Conferencing ¹⁴	Circle sentencing Community/Restorative conferencing Community panels Community Resolution Teams Family group conferencing Hoopoonopono Peacemaking circles Peace sentencing circles	12
Victim offender dialogue	Victim offender mediation/Mediation Victim offender reconciliation	36
Mentoring		2
Reparative boards	Community accountability boards Community restorative boards Neighborhood youth panels Restorative probation boards Victim accountability boards	11
Restitution	Victim compensation	41
Victim impact panels		7
Victim impact statements		3
Victims services	Victim awareness class Victim focus groups Victim fund Victim impact classes Victim notification Victim services coordinator	16
Work crews	Crime repair crews Habitat for humanity Offender service projects Pay-work option	9

¹³ Some community justice centers are independent and some are community operated. Community justice centers might implement mediation, conferencing, restitution, or other community-based programs.

¹⁴ Conferencing is often included in the broader conceptions of victim offender dialogue. Victim offender dialogue reported separately for the purposes of this report because respondents identified this separately and with particular interest.

been formed with local nonprofit organizations, schools, churches, and local businesses in developing and implementing restorative justice programs. (See Appendix for an inventory of the types of restorative justice programs implemented in each state.)

Funding and Resources Support for

Restorative Justice Programs and Practices

A sufficient resource base has long been considered essential for effective program or policy implementation. Sufficient resources most often promise reasonable returns in pursuit of policy goals and successful practices. The allocation of state and federal funds to juvenile justice programs has greatly increased during the past decade. Although current funding levels may seem high, amounts may not be as elevated when compared with the total allocation. This section addresses the extent to which the survey results confirm the belief that sufficient resources are essential to the success of policy and programmatic goals (Nakamura and Smallwood, 1980; Pressman and Wildavsky, 1973). During fiscal year 1998-1999, 22 states (44 percent) allocated more than \$250,000 annually to restorative justice initiatives and/or programs. Three states (6 percent), Arkansas, Georgia, and Tennessee, allocated \$100,000 to \$249,999; seven states (14 percent), Maine, Massachusetts, Michigan, Nebraska, New Hampshire, North Dakota, and Rhode Island, allocated \$25,000 to \$99,999; one state (2 percent), Idaho, allocated \$5,000 to \$24,999; and ten states (20 percent), Colorado, Indiana, Kentucky, Louisiana, Oklahoma, South Dakota, Texas, West Virginia, Wisconsin, and Wyoming, allocated less than \$4,999 for restorative justice programs and initiatives. Restorative justice personnel in seven states were unsure of the total funding for restorative justice initiatives and programs.¹⁵

¹⁵ Respondents were unsure of specific funding because the funds for initiatives and/or programs were located in various lines within the state budget and exact amounts were difficult to track.

Thirty-two states (64 percent) received funds for restorative justice programs and initiatives from multiple sources: the federal government, state government, county and local government, and private foundations. Ten states (20 percent), including Arkansas, California, Colorado, Connecticut, Delaware, Indiana, Maine, Missouri, North Carolina, and Wyoming, allocated state dollars. Michigan, Rhode Island, and South Dakota received federal funds only, and New Hampshire receives funding from federal pass-through dollars only. Indiana, Kentucky, Louisiana, and South Dakota did not allocate any funds for restorative justice purposes. South Dakota, for example, did not allocate specific funds to operate restorative justice programs, but rather relies on volunteers and, in some cases, former offenders as staff and administrators. Conversely, the state legislature of Pennsylvania, which adopted the balanced and restorative justice approach in 1995, earmarked \$10 million in additional funds in fiscal year 1999-2000. These funds were allocated for new staff positions oriented at the community level.¹⁶ Furthermore, any juvenile justice program in Pennsylvania that receives state money must adhere to the balanced and restorative justice principles. States, such as Alaska, Idaho, Montana, and Washington, have similar policy requirements for funding recipients.

Reallocation of Existing Funds

States often reallocate existing funds in their budgets to provide for new initiatives or programs. Eleven states (22 percent) reallocated funds, while 39 states (78 percent) did not reallocate existing funds. Of the states that reallocated existing funds, nine states or 18 percent (Alabama, Alaska, Arkansas, Colorado, Kansas, New Mexico, Ohio, Pennsylvania, and Utah) reallocated state funds. One state, Minnesota, reallocated local funds, and one state, Oregon, reallocated state and local funds.

¹⁶ The funding is earmarked specifically for staff positions, such as community representative and community supervision staff.

CONCLUSION

The primary findings of this exploratory study of restorative justice in juvenile and adult justice systems in the United States are:

- Virtually every state is implementing some aspect of the restorative justice principles at various levels (state, regional, or local) and in its programs and policies.
- A majority of the states have crafted or revised their statutes and codes to reflect restorative justice principles and have encouraged the use of restorative justice practices in their juvenile justice systems. Based on the information provided by interview respondents, twenty-three states have applied restorative justice principles to some aspects of the adult and juvenile justice system; nearly the same number, twenty-two states, have applied the principles to the juvenile justice system only; and five states have applied them to the adult criminal justice system only.
- Restorative justice reform efforts involve a number of major stakeholders both within and outside of government and often necessitate a significant role to be played by a reform initiator, as is illustrated by the experience in the state of Minnesota, where there is considerable community participation in maintaining the reform's momentum. On the other hand, under a different approach to reform, as is the case in Pennsylvania, the stakeholders are primarily governmental related, and their involvement and roles are tied to traditional hierarchical and bureaucratic structures and processes. However, these processes are geared to restorative principles and thus are sensitive to the need to reach out to victims and community organizations in the implementation process.

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- Multiple impressions of what constitutes a restorative justice program, as well as which factors influence restorative justice reform, were expressed by interview respondents. The identification of certain activities as restorative justice programs may be inconsistent with the categories found within the literature, such as the tendency of respondents to include community surveys, conferencing and mentoring as restorative justice programs. The existence of this difference in categorization may be explained by the substantive direction and focus of these activities in the different states. Also, the identification of the factors influencing restorative justice reform was offered without regard to categorization. The categorizations made in this study reflect the political, administrative, and fiscal influences as perceived by the researcher based on the best fit possible guided by the literature. Even with this effort, some room exists for difference of opinion among scholars and practitioners.
 - Funding and resource availability, often assumed to be critical in program planning and public policymaking and implementation, play a mixed role in restorative justice implementation, based on the telephone interviews and analysis of the case studies. It is not clear that more resources are required for implementation “success,” nor is it clear what constitutes adequate resources. A mixed picture of funding significance and criticality is presented.

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Figure 3: Approximate Annual Funding for Restorative Justice

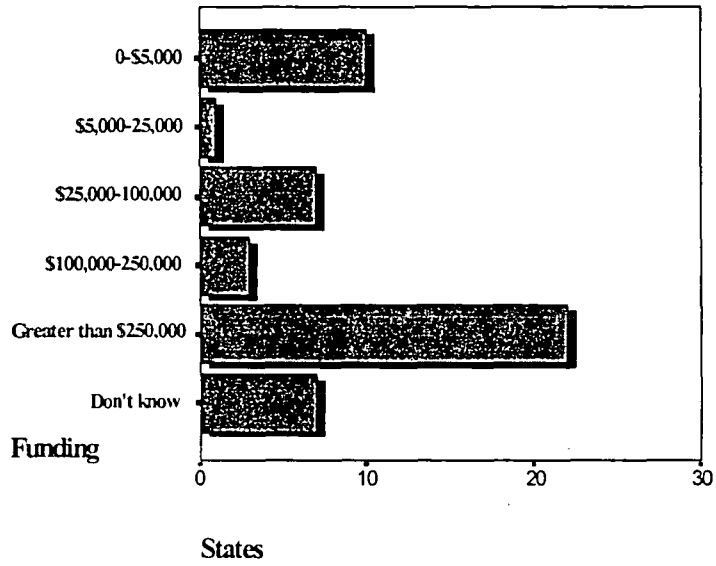
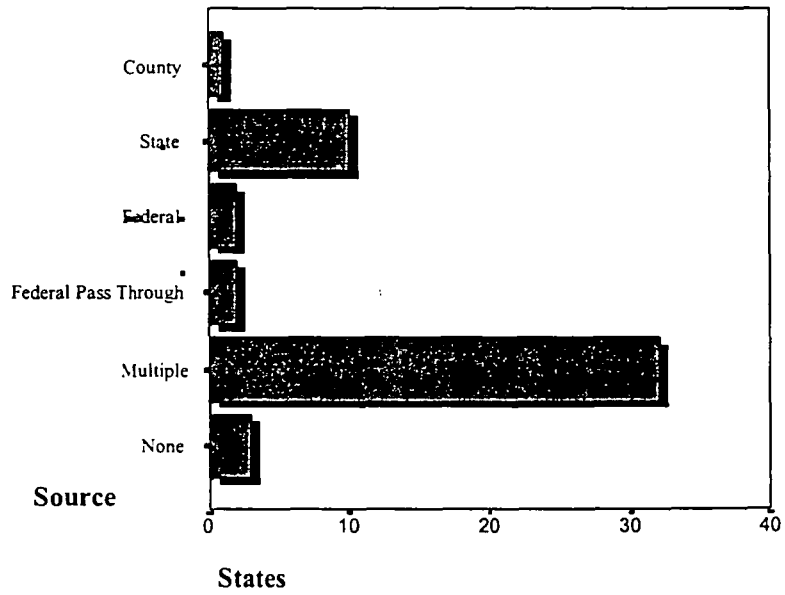


Figure 4: Funding Source



**Figure 4: Reallocation of Existing Funds
Resources for Restorative Justice Efforts**

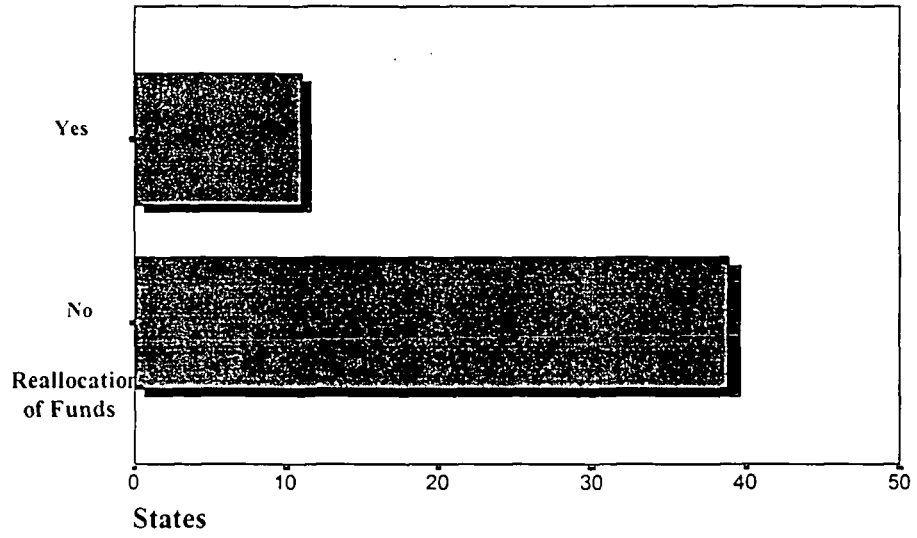


Table 7: Restorative Justice Programs in the States

State	Type of Restorative Program
Alabama	Community service Community supervision Mediation Restitution
Alaska	Community conferencing Community service Community supervision Mediation Tribal/community/youth courts Restitution
Arkansas	Community service Restitution
Arizona	Community justice boards Community service Mediation Restitution Teen courts Work crews
California	Community service Mediation Restitution Restorative conferencing Victim impact classes Victim impact panels
Colorado	Community focus groups Community service Community surveys Conferencing Mediation Reparative boards Restitution Victims services
Connecticut	Community service Mediation Victim compensation
Delaware	Community service Community supervision Victim-offender mediation Restitution
Florida	Community service Community supervision Mediation Restitution Victim notification Victim impact panels Victim impact statements

Table 7: Restorative Justice Programs in the States (continued)

State	Type of Restorative Program
Georgia	Community court (Atlanta) Community probation Community restorative boards Mediation Restitution Restorative community work Victim and community advisory council Victims services
Hawaii	Community service Mediation Restitution Restorative conferencing - Hoopoonopono
Idaho	Community service Mediation Restitution
Illinois	Community panels Community service Victim offender reconciliation Restitution program Victims services coordinator
Indiana	Mediation Offender service project
Iowa	Community service Community supervision Mediation Restitution Victim compensation Victim notification Victim-offender reconciliation
Kansas	Community service Community supervision Mediation Restitution
Kentucky	Community service Mediation
Louisiana	Community service Restitution
Maine	Community service Community resolution teams Restitution Victim offender mediation Victim impact panels
Maryland	Community arbitration Community conferencing Community service Community supervision Mediation Neighborhood youth panels Restitution "EARN IT" Victim awareness education classes

Table 7: Restorative Justice Programs in the States (continued)

State	Type of Restorative Program
Massachusetts	Drug court Mediation Peace sentencing circles Restorative probation board Victim impact statements Victim offender mediation
Michigan	Community service Mediation Restitution Teen court
Minnesota	Advisory councils Circle sentencing Community panels Community service Family group conferencing Victim-offender mediation Restitution Victim impact classes Victim focus groups Victim services
Mississippi	Community service Mediation Restitution Victim compensation
Missouri	Impact of crime classes (St. Louis) Mediation Restitution Reparative boards (St. Louis)
Montana	Community service Community supervision Mediation Restitution Restorative conferencing Victim compensation
Nebraska	Victim-offender mediation panels Victim services
Nevada	Community services Restitution Victim offender mediation Victim impact panels
New Hampshire	Community services Restitution Victim offender mediation
New Jersey	Community service Community/victim speakers group Crime repair crews Mediation
New Mexico	Community service Mediation Restitution Victim impact statements/victim notification

Table 7: Restorative Justice Programs in the States (continued)

State	Type of Restorative Program
New York	Community service Midtown Manhattan community court Victim-offender mediation/reconciliation Restitution Youth courts
North Carolina	Community service Community supervision Mediation Restitution
North Dakota	Pay work option Restitution Victim offender conferencing Victim impact panels
Ohio	Community service Community supervision Housing rehabilitation Mediation Victim notification
Oklahoma	Community service Mediation Restitution
Oregon	Community accountability boards Community service Community supervision Mediation Restitution Work crews
Pennsylvania	Community service Community supervision Mediation Restitution Restorative conferencing
Rhode Island	Community service Community supervision Juvenile hearing boards Restitution
South Carolina	Community outreach Community service Drug court Juvenile arbitration Mentoring
South Dakota	Community service Mediation Restitution Victim panels
Tennessee	Community service Drug court Restitution Victim-offender reconciliation
Texas	Community service Mediation Restitution Victim notification

Table 7: Restorative Justice Programs in the States (continued)

State	Type of Restorative Program
Utah	Community based probation Community service Community work crews Restitution Victim fund Victim-offender mediation Work crews
Vermont	Community justice centers Community service Community supervision - "Street Checkers" Mediation Reparative boards Restitution
Virginia	Community service Community supervision Crisis intervention Faith initiative Family preservation Mediation Mentoring Restitution
Washington	Community service Crime repair crews Habitat for humanity Victim accountability boards Victim impact panels Victim-offender mediation Restitution
West Virginia	
Wisconsin	Community service Community supervision Mediation Restitution Restorative conferencing
Wyoming	Community service Mediation Restitution Victim impact statements

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